



# LEBANON

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POPULATION: 3,876,000

GNI PER CAPITA: US\$5,850

<b>COUNTRY RATINGS</b>	<b>2004</b>	<b>2009</b>
NONDISCRIMINATION AND ACCESS TO JUSTICE:	2.8	2.9
AUTONOMY, SECURITY, AND FREEDOM OF THE PERSON:	2.9	3.0
ECONOMIC RIGHTS AND EQUAL OPPORTUNITY:	2.8	3.0
POLITICAL RIGHTS AND CIVIC VOICE:	2.9	2.9
SOCIAL AND CULTURAL RIGHTS:	2.9	3.1

(COUNTRY RATINGS ARE BASED ON A SCALE OF 1 TO 5, WITH 1 REPRESENTING THE LOWEST AND 5 THE HIGHEST LEVEL OF FREEDOM WOMEN HAVE TO EXERCISE THEIR RIGHTS)

## INTRODUCTION

Lebanon's historical, geographic, and political characteristics have had a significant impact on the status of women living within its borders. Though it is one of the smallest Arab countries, it is nevertheless a major regional center for culture, education, health, and finance. It contributed substantially to the preparation and formulation of the Universal Declaration of Human Rights, but has since violated the agreement more than once in its history of civil strife. Lebanon maintained a precarious democracy from the time of its independence from France in 1943 until a 15-year civil war broke out in 1975. While the war ended following a 1989 peace agreement, Syria maintained a military and intelligence presence that heavily influenced domestic politics until the troops were withdrawn in 2005.

It is within this historical and political context that the Lebanese women's rights movement has emerged. The movement can be traced to the late 19th century, when a growing number of women began voicing demands for greater rights. At the end of the century, many influential women migrated with their families to Egypt, then the hub of Arab renaissance, for either political or economic reasons. Once there, they started their own magazines, focusing on women's issues and featuring articles in support of education for women, their rights to work and earn a living, and their

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freedom to choose whether to be veiled. Activists and scholars of this era insisted that Lebanese did not need to blindly imitate the West or deviate from their own culture and traditions.

The early decades of the 20th century brought an unprecedented increase in the number of female philanthropists, writers, educators, owners of women's journals, and political activists in Lebanon. Organizations founded and led by women offered access to education, health services, and vocational training to other women. Women also worked alongside men to liberate Lebanon from the Ottoman Empire. Such efforts paved the way for them to start making demands for greater civil and political rights. The French mandate authorities, in agreement with the Lebanese authorities, included equal civil and political rights for all Lebanese citizens in the 1926 constitution. However, the election law did not give women the right to vote, prompting new protests by women's rights activists.

With the emergence of the campaign for independence from the French mandate, women's suffrage lost its importance on the national front. Instead, women joined with men in organizing and taking part in demonstrations for independence across the country. After the independence was finally achieved in 1943, sectarian discord kept the women's movement from regaining its previous momentum. It was not until 1953 that the Lebanese Women's Council was officially established, and all Lebanese women received the right to vote and run in elections as candidates.<sup>1</sup> This achievement did not result in women's representation in the parliament until the early 1990s, apart from one exception in 1963.<sup>2</sup>

The women's movement was also derailed by the 1975–90 civil war, as activists shifted their focus to social and relief services, helping to fill the gap left by the shattered state. The movement was revived after the war, and newly created women's networks began to concentrate their efforts on the reform of discriminatory laws. Lebanon ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1997. The following year, the government formed the National Commission for Lebanese Women (NCLW) to oversee the implementation of the goals of CEDAW and the 1995 Fourth World Conference on Women in Beijing, and to develop national strategies and programs for the empowerment of women.<sup>3</sup>

The end of the Syrian occupation was precipitated by the February 2005 assassination of Rafic Hariri, who had overseen Lebanon's reconstruction while serving as prime minister for most of the postwar period.

He had broken publicly with the Syrians before his death, which triggered a mass anti-Syrian protest movement known as the Cedar Revolution and the eventual withdrawal of Syrian troops in April of that year. Lebanese women from various religious creeds and socioeconomic backgrounds participated in the movement in large numbers and were instrumental in its success. Women similarly became involved in relief operations during and after the 2006 war between Israel and Hezbollah, a Shiite Islamist militant group based in Lebanon. As in the previous instances of military strife, the campaign for women's rights became a secondary priority in the face of the immediate humanitarian crisis.

Progress on women's issues since the 2006 war has been minimal, and many Lebanese policies and laws remain discriminatory. For instance, Lebanese women are unable to pass their nationality to foreign husbands and their children, the definition of and punishment for adultery differs depending on whether the perpetrator is male or female, and men are given reduced sentences for committing so-called "honor killings," in which women are slain by male relatives for perceived moral transgressions. Systemic bias is also reflected in discriminatory provisions of the multiple personal status laws, which apply to citizens based on their religion. Under these laws, women are at a disadvantage in terms of marital rights, divorce proceedings, and child custody.

Women's rights groups have sought to correct these problems by lobbying for a new nationality law and amendments to the penal code. They have also launched media campaigns and conducted street demonstrations aimed at increasing public awareness regarding such issues and putting pressure on the government. However, the political unrest and security concerns that have prevailed in Lebanon for over three decades, coupled with an entrenched patriarchal system, have continued to hinder such efforts to date.

## **NONDISCRIMINATION AND ACCESS TO JUSTICE**

In comparison with many other Arab states, the Lebanese legal system is fairly progressive with respect to women's rights, but the implementation of laws that assert gender equality has been uneven. Moreover, discriminatory provisions remain in the nationality law and penal code, and sectarian control over personal status law—reinforced by patriarchal social norms—generally puts women at a disadvantage. The country's many women's rights

organizations have lobbied vigorously for legislative improvements, and the government has also taken steps to upgrade women's legal status, but major reforms have failed to win approval in the parliament in recent years.

Article 7 of the Lebanese constitution asserts the equality of rights and duties for all citizens, regardless of gender, and Article 8 stipulates that individual liberty will be guaranteed and protected by law.<sup>4</sup> Unlike in most other Arab states, Shari'a (Islamic law) is not held up as the main source of legislation. The preamble of the constitution declares that "Lebanon is committed to apply the Universal Declaration of Human Rights in all domains without exception," and that international treaties and their provisions have precedence over national laws and legislation.<sup>5</sup> In practice, however, gender-based discrimination persists in some laws, which have not been challenged as unconstitutional.

Certain provisions of the Lebanese Nationality Law (No. 15 of 1925) exemplify such discrimination. The foreign husbands of Lebanese women and their children have no right to obtain Lebanese nationality; even upon the father's death, the minor children may not adopt their mother's nationality. Article 2 provides that a Lebanese woman may pass on her nationality to her child only when the child's father is unknown. On the other hand, under Article 5, a foreign woman married to a Lebanese man may become a Lebanese citizen after one year of marriage. The children resulting from this union are automatically considered Lebanese under Article 1. A woman's inability to pass her Lebanese nationality to her foreign husband and children has serious repercussions on the entire family. Both the husband and children must continuously secure residency and work permits in order to live and work legally in Lebanon, which is a tedious and time-consuming process. As residents rather than citizens, the children also lack the same rights as nationals regarding access to education.

Defenders of this discrimination argue that it protects the fragile balance between the country's various religious sects, since the extension of citizenship to male Palestinian refugees married to Lebanese women, and to their children, would greatly increase the number of Sunni Muslim voters. Reflecting this concern, a draft nationality law that is currently being considered by the parliament would allow Lebanese women to pass their nationality to their foreign husbands and children, unless the husband is Palestinian. The nongovernmental organizations (NGOs) involved in the reform effort have objected to this draft, noting that discrimination against women is simply being replaced by discrimination against Palestinian men.

In 2003, the Directorate General of Public Security attempted to address this situation by adopting a measure that grants residency permits free of charge and for a period of three years to the children of a Lebanese mother, whatever the nationality of the husband.<sup>6</sup> While this offers some relief to the children involved, it does not alter the fundamental gender discrimination found in the existing law.

The penal code treats women and men differently in a number of sections, notably in provisions related to honor crimes, adultery, and rape. Article 562 condones violence against women in the name of honor by reducing the sentence of a man who kills or injures his wife or other female relative without premeditation if he can prove that he witnessed the victim engaging in illegal sexual intercourse. At one time the article allowed an acquittal in these circumstances, but it was amended in 1999 to offer only mitigation of the sentence.<sup>7</sup> Human rights NGOs continue to lobby for the total repeal of Article 562, and in August 2008 the respected Shiite cleric Sheikh Muhammad Hussein Fadlallah issued a *fatwa* (religious edict) against honor killings, describing them as “a repulsive act banned by Islamic law.”<sup>8</sup>

The definition of adultery varies depending on whether the perpetrator is male or female. For a man, adultery requires that the act in question be committed in the marital home or that the adulterous relationship be made public. Conversely, a woman may be convicted of adultery if she commits an adulterous act anywhere and under any circumstances. Under Articles 487 and 488 of the penal code, sentencing options for men range from one month to one year in prison, while women may receive between three months and two years.<sup>9</sup> Notably, the partner of an adulteress is not subject to any punishment unless he too is married, whereas the female partner of an adulterer is subject to punishment regardless of her marital status. Women also have a greater evidentiary burden in attempting to prove their innocence. A man may be found innocent if there is a lack of material evidence, such as love letters, while an adulteress can be convicted through either factual evidence or witness testimony. Furthermore, charges are dropped against male adulterers who resume conjugal relations with their wives, while no such option exists for women.<sup>10</sup>

The penal code essentially treats rape as a crime against honor of the victim rather than a crime of violence, meaning it is not recognized within marriage. Under Article 503 of the penal code, the minimum punishment for rape is five years in prison with hard labor. If the victim is less than 15

years old, the minimum sentence is increased to seven years. However, if a legitimate marriage is subsequently contracted between the perpetrator and the victim, the conviction or pending charges will be voided.<sup>11</sup> Similarly, Article 504 allows a husband to go unpunished for rape or any kind of abuse when the victim is his wife.

Prostitution is technically legal in certain circumstances. The 1931 law on prostitution requires that brothels be licensed and that individuals working in them undergo medical testing regularly. Brothels may be opened only by women, female virgins may not work there, and employees, both male and female, must be over 18 years old. Since the late 1960s, the government has generally stopped issuing new licenses for brothels, meaning most of those operating today are unlicensed and therefore illegal. However, as a result of the civil war and the laxity of government institutions, the trade persists. Draft laws ordering the closure of all brothels have been submitted to the parliament over the years, but none has been adopted to date.<sup>12</sup>

Although discriminatory laws and policies exist, the government has expressed interest in reform. The first signs of a positive change emerged in 2000, when certain discriminatory provisions within the labor and social security codes were amended. Also that year, the Women and Children's Rights Commission was established to examine and amend existing laws that discriminate against women and children, and to propose new laws that safeguard their rights. Further progress was made in 2005, when for the first time in Lebanese history, a ministerial declaration explicitly addressed issues related to women and referenced the need to fulfill Lebanon's commitments at the 1995 Beijing conference.<sup>13</sup> While the latter moves have not so far produced effective actions or legal revisions, they suggest an ongoing shift—from indifference to active engagement—in the government's attitude on gender discrimination.<sup>14</sup>

Lebanon's judicial system consists of ordinary courts and special courts. Ordinary courts, divided into civil and criminal units, are hierarchical and include the courts of first instance, the courts of appeal, and the Court of Cassation, which has jurisdiction over final appeals and intercourt disputes. Special courts preside over specific areas of law and include juvenile courts, military courts, and labor courts. Religious courts for each sect hear cases pertaining to personal status and family law. Shari'a courts, for instance, are separated into Sunni and Shiite hearings, and ecclesiastical courts have jurisdiction over the personal status issues of the various

Christian denominations.<sup>15</sup> The court system is supervised by the Ministry of Justice and the State Consultative Council, the supreme administrative court of Lebanon.

All citizens, men and women, are guaranteed equal access to the judiciary under Article 7 of the code of civil procedure, which provides every Lebanese with the right to initiate proceedings and the right to defense. Article 427 of the same code stipulates that any Lebanese citizen may apply for legal aid if he or she is unable to pay the costs and fees of the proceedings.<sup>16</sup> However, women rarely claim these rights in practice, either because of legal illiteracy or because the prevailing patriarchal social system discourages them from asserting their rights in opposition to men. Similarly, noncitizen women have access to justice and are offered free legal assistance, but they rarely resort to courts due to ignorance of these services or the fear of becoming involved with an unfamiliar legal system.

Although women are not immune from cruel or degrading treatment by law enforcement agencies, they are considerably less likely than men to be subject to such practices. Torture and ill-treatment in detention have remained a problem in recent years.<sup>17</sup> Prisoners are usually detained in poorly ventilated cells and risk verbal and physical abuse at the hands of law enforcement personnel. In most cases female inmates in Lebanon are repeat offenders who have committed felonies and other crimes.

The number of women in the judiciary has increased substantially over the years. The first female law students graduated in the 1930s, but women were appointed as judges only in the 1960s. Despite this delay, women today hold 38 percent of the civil, commercial, and criminal court judgeships, or 192 out of the 507 available positions. They also make up 28 percent of judges in the administrative court, holding 21 out of 76 available positions.<sup>18</sup> Despite these and other remarkable achievements, no woman has ever been appointed to the Constitutional Council, the Higher Council of the Judiciary, or the Justice Council. Moreover, women are not permitted to serve as judges in the religious courts. Within the Sunni, Greek Orthodox, and Anglican courts, female lawyers may serve only in an advisory capacity, but their advice seems to influence the judges' verdicts.<sup>19</sup>

According to the code of civil procedure, the testimony of men and women are considered equal before civil courts, and male and female witnesses are subject to the same criteria for disqualification. Women may act as witnesses in the Property Register under Law No. 275 of 1993. Christian religious courts consider female witnesses and their testimony

to be equal to that of men. However, within the Muslim religious courts, the testimony of two women is equal that of one man. Compensation owed to men and women is equal under Articles 122 and 234 of the Law of Contracts and Obligations, but a review of court judgments indicates that men are often awarded greater compensation than women in similar circumstances, reflecting the gender-role stereotype of men as the primary breadwinners.<sup>20</sup>

Lebanon ratified CEDAW in 1997 with reservations to Article 9(2), regarding nationality; several subparagraphs of Article 16(1), related to personal status laws; and Article 29(1), on the settlement of disputes. The reservations related to personal status are premised on the fact that Lebanon lacks a unified personal status law.<sup>21</sup> Establishing such a law and lifting these reservations is of primary importance if gender equality is to be secured.

In 2005, the NCLW established a CEDAW committee to prepare Lebanon's official report to the United Nations on the status of women and suggest ways in which Lebanon could implement the clauses of the CEDAW treaty. To this end, it organized a workshop entitled "On the Road to Applying CEDAW" that examined how state institutions and NGOs could work together to fully implement the convention.<sup>22</sup>

Women's rights NGOs have been instrumental in pushing to amend discriminatory laws, often working collectively within so-called women's networks. The networks secure funding through member organizations that are directly involved with a specific issue.

The right of Lebanese women to pass their citizenship to their husbands and children is an issue of particular concern to many activists. The Collective for Research and Training on Development–Action (CRTD-A) launched a 2002 campaign entitled "My Nationality Is a Right for Me and My Family." In early 2006, CRTD-A secured support for this initiative from leading politicians and members of the parliament's Women and Children's Rights Commission. The campaign continues to date and receives notable media coverage despite continuing political and security-related instability. In 2008, the UN Development Programme (UNDP) began a two-year citizenship project in coordination with the National Committee for the Follow-Up of Women's Issues.

Women's rights and human rights associations are also working hard to introduce amendments to the penal code, which has barely been modified since its promulgation in March 1943. The Lebanese Women's Democratic

Gathering, with the support of the Lebanese Women's Network, has launched a campaign that aims to remove all gender-based discriminatory provisions from the penal code. Moreover, the nonprofit organization KAFA ("Enough") Violence and Exploitation is committed to ending violence against women and children through outreach, advocacy, and awareness. KAFA considers current laws to be inadequate to fight family violence, and in cooperation with other NGOs and experts in the field, it has launched a campaign in support of a draft law that would protect women against domestic abuse.

### *Recommendations*

- ❖ Efforts should be made to fully implement Article 7 of the constitution, which establishes equality in the rights and duties of all citizens. Existing laws that promote equality should be fully enforced, new laws reinforcing equality should be promulgated, discriminatory laws should be repealed or amended, and steps should be taken to increase women's awareness about their legal rights.
- ❖ The nationality law should be amended to allow Lebanese women to pass their nationality to foreign husbands and children. Specifically, Article 1 of Decree No. 15 of January 19, 1925, should be amended to read that any person born of a Lebanese father or mother shall be considered Lebanese.
- ❖ The definition of adultery within the penal code should be made gender-neutral. Adulterous men should no longer be able to evade punishment by resuming sexual relations with their spouses unless the same opportunity is given to adulterous women.
- ❖ Article 562 of the penal code, which offers reduced sentences to male perpetrators of "honor crimes," should be eliminated. Those convicted of killing or injuring a female relative for honor-related reasons should receive no special leniency from the courts.
- ❖ Domestic and international NGOs should closely monitor the implementation of international conventions, which have legal precedence over national laws.

## **AUTONOMY, SECURITY, AND FREEDOM OF THE PERSON**

Lebanon is one of the most diverse countries in the region and has 18 legally recognized religious groups.<sup>23</sup> Because of the great political sensitivity

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surrounding the relative size of each sectarian community, the state has not conducted a national census since 1932. However, the three largest groups are the Sunni Muslims, the Shiite Muslims, and the Maronite Christians. The smaller groups include a variety of other Christian sects as well as the Druze and a very small number of Jews.

Article 9 of the constitution guarantees freedom of conscience and religious practice, and asserts that the personal status interests of all sects will be respected. Each state-recognized religious group has the right to adhere to its own personal status laws, which regulate matters related to birth, marriage, divorce, and child custody. For example, the Muslim denominations alone are subject to four different personal status codes. The six Catholic denominations share a uniform personal status law, and some state-recognized denominations, such as the Ismailis, are no longer represented in Lebanon. Nonetheless, the personal status laws of all religious groups in some way discriminate against women and promote patriarchal stereotypes.

No laws restrict a woman's freedom of movement or her choice of place of residence. Lebanese women have had the right to travel without their husbands' authorization since 1974. According to both Sunni and Shiite religious courts, which adhere to interpretations of Shari'a, a wife cannot be compelled to reside in her husband's house through physical or mental coercion. However, the prevailing patriarchal social system prevents women from fully enjoying freedom of movement, particularly in rural areas where such norms are more strictly enforced. Conversely, urban women may have more opportunities to avoid conservative customs and traditions; some are even able to defy them, for instance by going out at night without a male chaperon or living on their own.

There have been several unsuccessful attempts to adopt a unified, civil personal status law over the years, beginning in 1974.<sup>24</sup> A bill that would create an optional civil law was proposed by President Elias Hrawi in 1998 and approved by the cabinet, but it met with strong opposition from all religious leaders, and the parliament eventually blocked it. In 2007, a group of students and young professionals used Facebook, the social-networking website, to launch a new initiative in support of civil marriage and a civil personal status law.<sup>25</sup> In February 2009, the group announced the completion of a new draft for an optional civil law, although it appears unlikely that the measure will be considered by the parliament in the near future.<sup>26</sup>

Most of the existing personal status laws stipulate a traditional division of roles within the family, placing the husband at its head and imposing upon the wife responsibility for domestic matters.<sup>27</sup> Under Muslim family laws, for example, a wife is required to obey her husband, while a husband has the duty to treat his wife well. Some positive amendments were introduced in the personal status law of the Catholic Churches of the East in 1990 to stipulate that spouses enjoy equality in their rights and duties.<sup>28</sup> Moreover, the Greek Orthodox Church issued a new personal status law in 2003 that contains no clauses related to the authority of the husband. Articles 11 and 25 emphasize that marriage entails mutual support between husband and wife and the sharing of household and child-rearing responsibilities. The new law also allows women from other Christian denominations to marry Greek Orthodox men without having to convert, and emphasizes that the wife's religion will not be used to discriminate against her in annulment or divorce proceedings. Nonetheless, due to widespread patriarchal attitudes, women of all faiths are traditionally expected to conform to their husband's demands.

Many Lebanese men and women choose to avoid the sectarian personal status codes by having a civil marriage abroad. Such marriages are recognized by law and are registered in the personal status offices. Disputes arising from civil marriage are regulated by the civil courts in Lebanon, which apply the civil law of the country where the marriage was contracted. For this purpose, bilateral agreements have been concluded between Lebanon and several countries, including the United States, Italy, and, recently, Switzerland. However, a newborn child is ascribed the religion of his or her father even if the parents had a civil marriage overseas.<sup>29</sup>

The ability of women to negotiate full and equal marriage rights is jeopardized by the discriminatory nature of the personal status codes. Furthermore, a woman's ability to enforce her rights often depends on her education, socioeconomic status, and whether she lives in a rural or urban area. The legal age of capacity for marriage varies by sect, but it is typically 18 for men and a somewhat younger age for women.<sup>30</sup> With the approval of a judge, Sunni and Shiite laws technically allow marriage for girls as young as nine, though this is no longer customary.<sup>31</sup>

Parents and occasionally the extended family of a prospective bride or groom heavily influence the young person's choice of spouse. Sometimes this influence is limited to whether the future spouse is from the same sect, although most are free to pick from among the various sects of their

religion. It is an accepted practice in some social milieus, regardless of religious denomination, for a young man to ask his female family members to search for a prospective bride on his behalf, or for a young woman to be compelled to marry a person chosen by her family. However, such cases are becoming increasingly rare.

Interreligious marriages are increasingly common. Among Muslims, the marriage of a Muslim man to a woman of another monotheistic faith is acceptable—the bride is even permitted to retain her original faith. By contrast, a Muslim woman may not marry a non-Muslim man; should she choose to do so, her guardian has the right to annul the marriage, although that right is rarely exercised.<sup>32</sup> The Christian sects generally require prospective spouses of other faiths to convert, although some allow marriages between people of different Christian denominations.<sup>33</sup>

Divorce in Lebanon is most frequently a traumatic experience for family members, particularly women and children. While personal status codes regulate issues related to divorce, enforcement mechanisms are not strong enough to ensure that the rights of divorced women are upheld. Women often face fierce custody battles and serious financial problems if their husbands refuse to pay the alimony ordered by the court. The religious courts, generally headed and run by men, rarely consider the needs of women, and often decide and impose measures concerning children's care and nurturing without seeking out the opinion and consent of the mother. Furthermore, a divorce is always more taxing for foreign women married to Lebanese men because of their lack of awareness of the pertinent laws and, in many cases, because of a language barrier.

Among Muslims, a man can divorce his wife with relative ease through the practice known as *talaq*, or repudiation. The divorced woman is entitled to her dowry as well as financial maintenance throughout the *iddat*, the waiting period during which a husband may revoke his repudiation and reconcile with his wife, even if it is against her will. It is much more difficult for a woman to divorce her husband on her own initiative. Sunni women can argue their case in court by citing one or more of a defined set of reasons, such as the husband's failure to consummate the marriage, his illness or insanity, or his long-term absence or intermittent cohabitation.

Both the Sunni and Shiite family courts allow women to reserve the right to initiate divorce as part of their marriage contracts, making the process easier. Under Article 38 of the Sunni personal status law, women may also

stipulate in the marital contract that the husband cannot take another wife. In addition, both Sunni and Shiite women can request *khula*, an Islamic practice wherein the wife forgoes financial maintenance and returns her dowry in exchange for divorce.<sup>34</sup>

The Greek Orthodox Church requires the husband, in case of desertion, to provide his wife and their children with a lawful domicile or an allowance. If he refuses, the court will order him to vacate the marital home so that his wife and children may reside there. Catholic sects continue to prohibit divorce but have recently increased the number of legitimate reasons for annulment.<sup>35</sup> All Catholics may invoke misrepresentation or fraud as the reason for annulment, for instance if one of the spouses does not tell the other about being a drug addict. Other valid reasons include polygamy or incest, violence and abuse, irresponsible behavior, mental incapacity as established by a medical doctor, and the inability or refusal of a partner to consummate the marriage.

Women face acute discrimination in matters of parental authority and child custody. In all denominations but the Armenian Orthodox, in which parents share authority equally, parental authority over the person and assets of minor children goes to the father first. Mothers rarely receive even secondary priority, which most denominations grant to the paternal grandfather or a trustee of the father's choosing.

Custody, or responsibility for the physical and mental upbringing of children, generally goes to mothers for a period of time, the length of which depends on the age and sex of the child and differs between religions. In 2005, the evangelical Christian denominations adopted a new personal status law that raised the age at which mothers lose custody from 7 to 12 years for both boys and girls.<sup>36</sup> Proposed amendments to the Sunni custody law would grant mothers custody over boys until they turn 13 and girls until they turn 15, up from 7 and 9, respectively. These amendments have been approved by the Sunni religious authorities, the Higher Council of the Judiciary, and the cabinet, but they have not yet been passed into law by the parliament.<sup>37</sup>

A mother does not necessarily lose custody of her children once the legal period of custody has expired. For instance, custody for Catholic mothers technically ends once the child is weaned, usually around the age of two. However, under Article 125 of the Catholic personal status law, courts may take into consideration the best interest of the minor in

determining which parent will retain custody of the children. Muslim and other religious courts also often grant custody to the mother and resort to the assistance of social workers and psychologists to help the children in case of disputes. Either parent may lose custody if they change their religion or are responsible for the dissolution of a marriage, and Christian and Shiite mothers lose custody of their children upon remarrying.<sup>38</sup>

Women generally avoid the death penalty, but there are more women murdered in the name of honor than there are men sentenced to death in a given time period. Between 1995 and 1998, six men and no women were executed by order of the judiciary. In the same period, however, 36 women died in apparent honor killings.<sup>39</sup> Between 1999 and 2007, 66 court sessions related to the honor killings of 82 female victims took place.<sup>40</sup> However, these statistics are incomplete, as such murders often go unreported or are reported as suicides. In general, women in conservative environments, especially in remote areas, are more likely to be subject to honor killing than their counterparts in Beirut and other cities.

Domestic violence is not specifically prohibited by law. Draft legislation on the matter, backed by KAFA and other NGOs, was considered by the cabinet in June 2009, but it was referred to a ministerial committee for further review. There is currently no competent authority equipped to assist victims. Moreover, meddling in the private domestic matters of others is taboo, regardless of one's religion. Consequently, security forces are strictly forbidden from helping a known victim of abuse unless he or she submits a formal complaint to the police.<sup>41</sup>

Because of the lack of specific legislation, offenses related to domestic violence currently fall under Article 122 of the Law of Contracts and Obligations, which orders that restitution be paid to victims of illegal physical injuries. Restitution covers material damages, such as hospital bills, that result from violent acts perpetrated by the husband, as well as psychological and moral damages. The general provisions of the penal code that victims may rely on to prosecute their abusers do not take into consideration the private relationship between the perpetrator and the victim. Under the penal code, battery is punishable by a maximum of three years in prison. Nevertheless, some religious courts require battered wives to return to their homes, where they risk continued abuse by their husbands. In addition, many women are compelled to remain in abusive marriages because of social and family pressures, the possible loss of child custody, or a lack of financial means to support themselves.

Aside from a few tallies of complaints submitted to the police, no authoritative statistics exist regarding the extent or character of abuse committed against women by their male kin. The most reliable information comes from NGOs that work with and help battered women, which report that almost 80 percent of female victims of domestic violence are also victims of spousal rape.<sup>42</sup>

Women in Lebanon are often subjected to gender-based harassment outside the home, most often in the form of sexual harassment on the street and at work. Victims prefer to confide only in people close to them and are made to feel ashamed should they decide to report such incidents to the police, who often do not know how to deal with these issues. Verbal abuse in the forms of slander, defamation, and vilification are prohibited, but the punishment is usually reduced when such acts are not committed in public.

NGOs have initiated various projects in an effort to break the silence regarding domestic abuse. KAFA, the Lebanese Council to Resist Violence Against Women, and the Young Women's Christian Association (YWCA) have all established 24-hour hotlines that allow victims to report abuse and receive counseling. They have also launched awareness campaigns in an effort to focus the attention of the general public, the authorities, and experts on the plight of victims. Finally, they provide female victims with free legal advice, shelter, and access to social workers throughout their recovery process. As noted above, these organizations have drafted and lobbied the government to pass a law that would explicitly ban domestic violence. The Ministry of Social Affairs has been cooperating on the issue with a number of local NGOs for several years now, in some cases undertaking joint projects with the private groups.

### *Recommendations*

- ❖ The parliament should enact an optional civil personal status law that would offer an alternative to the existing religious personal status laws, providing Lebanese citizens with freedom of choice without directly antagonizing religious leaders.
- ❖ The government should specifically outlaw domestic violence and spousal rape, create more accessible mechanisms through which victims can file complaints, and train police and other public employees on how to handle such cases.
- ❖ Custody laws that discriminate against the mother based on the child's gender and age should be amended to allow courts to determine the

best interest of the child and the parents' custodial competency on a case-by-case basis.

- ❖ Temporary alimony should be provided to women for the duration of divorce proceedings in cases where the women were financially dependent on their husbands throughout marriage.
- ❖ In an effort to clarify the confusion caused by multiple personal status laws, a judicial monitoring body should be established to document and publicize new rulings by different courts on related issues.

## ECONOMIC RIGHTS AND EQUAL OPPORTUNITIES

Political and civil unrest, including the 15-year civil war and the short but destructive war between Hezbollah and Israel in 2006, has taken its toll on Lebanon's economy. Although the gross domestic product (GDP) grew by an estimated eight percent in 2008, this trend is unlikely to continue considering the fact that the country has one of the highest debt-to-GDP ratios in the world, and in light of the international economic crisis that emerged in late 2008.<sup>43</sup> Female economic activity has grown considerably since the 1970s, but women remain grossly underrepresented in the labor force.

Article 215 of the Law of Contracts and Obligations stipulates that women have the same rights as men with respect to concluding contracts and owning and administering property. Married women and men hold and manage their property separately and dispose of it as they see fit, regardless of their religious affiliation. However, severe restrictions are placed on a woman's property if her husband declares bankruptcy. Articles 625 to 629 of the commercial code stipulate that property acquired by a woman during marriage is presumed to have been purchased with her husband's money—thus forming part of his assets—unless proven otherwise. These restrictions do not apply to the property of husbands and reflect the belief that wives are the dependents of their husbands.

Women have the legal right to full and independent use of their income and assets, but the prevailing patriarchal system and the stereotyped role assigned to women in the private sphere often prevents them from making such decisions on their own. A woman's husband, father, brothers, and sometimes more distant male relatives can heavily influence her financial choices, illustrating the predominance of social norms over legal rights. In rare instances, husbands or fathers have been known to completely control their wives' or daughters' income.

Inheritance laws differ between religious communities. Non-Muslims are subject to the 1959 Civil Law of Inheritance, which imposes complete equality between men and women, both in terms of the right to inherit and the share of inheritance. Muslims abide by the inheritance rules established under Shari'a provisions according to their respective sects. Under such rules, a man generally inherits twice as much as a woman. In addition, Muslims can only inherit from and bequeath to other Muslims, so that even the non-Muslim widow of a Muslim man cannot inherit part of his estate. Members of non-Muslim denominations are free to leave their estates to whomever they see fit, regardless of religion.<sup>44</sup> Although women are legally entitled to inherit land, they often cede their share to their brothers, as social norms dictate that land should be retained by the male line. In return, the brothers are expected to financially support their single sisters, although this trend is gradually subsiding as more women join the labor market.

No legal restrictions limit women's right to start their own business or get involved in income-generating activities. The number of enterprises owned by women is increasing among the middle and upper-middle income groups, while women in the lower income brackets often head small businesses and microenterprises.<sup>45</sup> However, female ownership does not necessarily mean female management. In the Middle East and North Africa region as a whole, only 54 percent of female business owners also act as managers for their enterprises, compared with 90 percent for male owners.<sup>46</sup>

The proportion of women who participate in the labor force has increased slowly over time, rising from about 21 percent in 1980 to 27 percent in 2007, although the figures remained largely static over the last five years.<sup>47</sup> The historical growth is partly attributable to governmental and societal investments in education. Women have enjoyed access to educational opportunities since the 19th century, and even older generations of Lebanese women are mostly literate. Of women aged 15 and older, 86 percent were literate as of 2007, compared with 93.4 percent of men from the same age group. This gender gap is markedly narrower than that of neighboring countries, and it entirely disappears among those aged 15 to 24 years old. In that group, 99.1 percent of women and 98.4 percent of men were literate as of 2007.<sup>48</sup> However, illiteracy is more common among rural women. Of women from Beirut, 5.6 percent are illiterate or not enrolled in school, compared with 8 percent of the women in the provinces of North Lebanon and 13.4 percent of the women in the Bekaa

region.<sup>49</sup> More boys than girls are enrolled in primary school, but 83.3 percent of girls and only 79.8 percent of boys had completed their primary education as of 2007.<sup>50</sup> The gross enrollment rates in secondary and tertiary education were significantly higher for women than for men in 2007, and the gap has expanded over time.<sup>51</sup> This may be in part because boys are more likely to drop out of school to help support their families or to pursue their education abroad.

High literacy and enrollment rates among women have not translated into an equal place in the economy, however. In addition to being grossly underrepresented in the labor force, the overall female population earned on average about one-third the income of men.<sup>52</sup> While women are in principle free to choose their profession, societal attitudes tend to channel them into teaching, nursing, and administrative work at a rate that does not necessarily reflect the needs of the labor market.<sup>53</sup> These fields are often perceived as more compatible with women's nature and their primary role as homemakers and mothers. Textbooks used in all schools reinforce these stereotypes by portraying women in traditional gender roles while assigning leadership roles to men.

Professions that were previously reserved for men, including engineering and medicine, are beginning to open up to women. However, even female doctors tend to specialize in areas considered "natural" to them, such as pediatrics or obstetrics, rather than surgery or orthopedics. A woman's choice of profession is also influenced by the extent to which her job interferes with her reproductive and child-rearing roles, highlighting once more the primacy of these roles even among highly educated women.

Lebanon has ratified several International Labour Organization (ILO) conventions that promote equality,<sup>54</sup> and amended the labor code several times to remove discriminatory provisions. For instance, in 1987, both men and women became eligible for end-of-service indemnities at the age of 64, and in 1994, women were granted the right to undertake commercial activities without the prior approval of their husbands.<sup>55</sup> However, legal inequalities persist. Although men and women are officially entitled to the same minimum wage, women's net income is lower than that of men because married women's wages are taxed as if they were unmarried, while married men or male heads of households are granted a tax break.<sup>56</sup>

Women are entitled to maternity leave under Article 29 of the Employment Act, which was amended in 2000 to increase the period of maternity

leave from 40 days to seven weeks with full pay. Nevertheless, Lebanon does not meet the standards dictated by ILO Convention 103, which grants mothers no less than 12 weeks of maternity leave. Paternity leave is not provided for under the Employment Act, and there are no effective requirements for employers to offer support services for working mothers, such as conveniently located childcare facilities. These deficiencies give rise to potential conflicts between women's professional and maternal responsibilities.<sup>57</sup> Lebanese law does not address the issue of sexual harassment in the workplace, despite the fact that its occurrence is increasingly recognized and openly discussed in the media and by NGO networks.

Female migrant workers, many of whom are employed as household help, are particularly vulnerable to labor exploitation. Since domestic workers are not covered by the labor law, they are denied a legal minimum wage, have no established maximum working hours per day, are not guaranteed time off or vacation, and are not entitled to accident and end-of-work compensation. Instead, their working environment is determined by a contract between them and their employer, and they are strictly forbidden from changing their employer unless the latter agrees to end the contract.<sup>58</sup> Some migrant women are also victims of human trafficking, tempted to immigrate to Lebanon by the promise of a decent job and then forced into prostitution once they arrive.

In response to pressures from international organizations, Lebanon created a committee in February 2006 to draft a model employment contract and to introduce an amendment to the labor law aimed at improving the status of domestic workers.<sup>59</sup> In October 2005 Lebanon signed and ratified international agreements that address the issue of trafficking,<sup>60</sup> and it has since begun implementing them. With assistance from the United Nations Office on Drugs and Crime, draft measures to prevent and combat trafficking in persons have been introduced.<sup>61</sup> Lebanon has not, however, ratified the UN Migrant Workers Convention, "which guarantees migrants' human rights and promises state protection against abuse by employers, agents and public officials."<sup>62</sup>

Palestinians are still considered to be resident foreigners despite their presence in Lebanon for over half a century. This status forces most Palestinian women to work in the informal sector, and their only support generally comes from women's NGOs and international organizations.

Civil society actors have fought for decades to amend the legal framework for women's economic rights and to educate women about these

rights. In 1949, after a thorough examination of Lebanese legislation in light of international conventions and the legislation of other Arab countries, women's rights organizations established a plan of action for reform. Even then, activists were aware of the substantial influence that cultural norms and traditions have on society. Consequently, they adopted a policy of seeking gradual changes over time to alter deep-seated customs. This process continues today, and many NGOs focus entirely on women's economic rights and opportunities. The Working Women's League in Lebanon, for example, has lobbied for the amendment of discriminatory laws and the introduction of a new law penalizing sexual harassment in the workplace. The league also provides advice to working women regarding all employment issues and is currently negotiating with the private and public sectors to secure nurseries for the children of working women. The most pressing need, however, is for the proper enforcement of existing legal protections.

### *Recommendations*

- ❖ The government should partner with the NGO sector to support awareness campaigns promoting women's economic rights and potential as productive agents in Lebanon's economic development. A particular emphasis should be placed on outreach to rural women.
- ❖ In an effort to increase women's workforce participation rates, educational and technical training should be structured to draw women into fields that meet market demands. NGOs should cooperate with business entities by providing occupational training for women in specializations and skills that are sought by the partner companies.
- ❖ Employers in the public and private sectors should be required, both in law and in practice, to provide childcare facilities for their employees, making it easier for women to enter and remain in the workforce.
- ❖ The government should provide technical and financial support to female-run enterprises in both the formal and informal sectors, regardless of the size of the enterprise.
- ❖ Legislation designed to secure the fundamental economic and human rights of domestic workers, including noncitizens, should be enacted and fully enforced. This can be accomplished through a separate law or by extending the protections of the existing labor law to domestic workers.

## POLITICAL RIGHTS AND CIVIC VOICE

Although women energetically fought for and achieved political rights over half a century ago, they have not been fully integrated into political life. A major factor behind this problem is the entrenched sectarian political system. Representation is apportioned on a sectarian basis, and powerful political families tend to retain the leadership of their respective communities, leaving women with only a token presence in the decision-making positions of the state and political parties. Prevailing patriarchal views on gender roles, reinforced by the blending of political and religious identity, discourage female political participation, and women have difficulty matching the financial resources of male incumbents during electoral campaigns.<sup>63</sup> Very little has changed regarding women's political rights in recent years, and repeated attempts to introduce a gender-based quota for women in parliamentary elections have been unsuccessful.

Lebanese women obtained the right to vote and run for seats in the National Assembly, the country's parliament, in 1953. The first Lebanese female member of parliament took office in 1963, having run unopposed to complete the term of her father, who had died without leaving a male heir. After her term ended, Lebanon did not have another female lawmaker until 1991, when one woman was appointed to replace her deceased husband. Three women were elected to the 128-seat parliament in 1992, and the number remained unchanged in the 1996 and 2000 elections, finally rising to six in 2005. In most of these instances, the successful candidates either belonged to traditional political families or were related to prominent male politicians.<sup>64</sup>

In the most recent elections, held on June 7, 2009, four women were elected to the National Assembly.<sup>65</sup> Once again, the typical female lawmaker was a close relative of a prominent male leader. The number of women in the parliament decreased in part because two of the incumbent female members, both widows of former presidents, stepped aside to allow their sons to contest the seats, although only one of the male heirs succeeded. Apart from the feudal political system, which equally impacts both male and female candidates, women are at a particular disadvantage due to their traditionally limited access to financial resources. Female challenges running in their own right often find themselves competing with well-financed, male-dominated political machines. They must also contend

with cultural attitudes that resist female participation in the public sphere, resulting in the reluctance of various stakeholders within the society to be represented by a woman.

The parliament approved a new electoral law in September 2008, but important reforms proposed in the initial drafts were ultimately rejected. These included a measure backed by women's rights NGOs—such as the Lebanese Women's Council, the League of Lebanese Women's Rights, and the Lebanese Women's Democratic Gathering—that would have established a 30 percent quota for women's representation in the National Assembly.

The number of women running for and elected to local councils has increased in recent years, although the proportion of successful female candidates has remained the same. In the 2004 local elections, over 700 women ran for and 220 were elected to municipal councils, whereas in 1998, 139 of the more than 500 female candidates succeeded in their bid for local office. However, in both years, only 2.5 percent of the winning candidates overall were women, partly because additional municipal council seats were created in the interim. A total of 16 women were elected as mayors in 2004, but there are more than 1,600 such posts countrywide.<sup>66</sup>

Women also remain severely underrepresented in the national executive branch. In 2004, two women—Wafa Dika Hamzah and Leila el-Solh Hamadeh—became the first to be appointed to the cabinet, which in this case had 30 members, but they remained in office for only six months. Only one woman was appointed as a cabinet member in each of the subsequent two governments: Nayla Mouawad became minister of social affairs in 2005, and Bahia Hariri was appointed as minister of education in 2008. To date, no woman has become president of the republic, speaker of the parliament, or prime minister.

Furthermore, although the number of women appointed to serve in government departments and public institutions under the jurisdiction of the Civil Service Commission has increased over the years, women's representation in high-level positions remains significantly lower than that of men. No woman has ever been appointed as a governor, and only two are district presidents. Women are also underrepresented in delegations sent abroad by the Ministry for Foreign Affairs and Expatriates, though they are well represented in delegations concerned with women and children's affairs. According to a 2007 report by the World Bank on the progress

of Arab women, only four out of the 53 ambassadors representing the Lebanese government abroad were women.<sup>67</sup>

While women are legally permitted to join political parties, their participation and representation remains low.<sup>68</sup> Those female members who are active in party affairs tend to work on committees focused on providing social services.

Freedoms of assembly and association are guaranteed under Article 13 of the constitution and a 1909 Ottoman law on associations. To establish a new organization, one need only inform the Ministry of Interior; no authorization from the state is required. Article 13 also guarantees freedom of expression and the press, although state and nonstate actors do not always respect this right in practice. Still, both male and female members of the media have risked their lives to push the boundaries of acceptable political discourse in recent years. In 2005, two male journalists, Samir Kassir and Jibran Tueni, were killed in separate car bombs, and prominent female news anchor May Chidiac survived an attempt on her life.

There are many women's rights organizations in Lebanon and they often take different forms. Important alliances of women's NGOs include the Lebanese Women's Council, the National Focal Point for the Elimination of All Forms of Discrimination against Women, and the Lebanese Women's Network. Other associations include NGOs that combat violence against women, women's committees in Lebanese political parties and trade unions, and NGOs concerned with culture, information, and communications.<sup>69</sup> However, these organizations are not equally distributed across Lebanon and are severely lacking in rural areas where they are needed most.

The involvement of female youth in civil society has significantly increased over the last 15 years. This can be attributed to a number of factors, the most important of which are the higher level of education of women, their increased participation in the labor force, and their genuine desire to take part in the political process.

Women of all ages engage in political protests and do not limit their activism to demonstrations alone. The 2006 war has apparently sparked civic and political activism among women, who are signing petitions in ever larger numbers.<sup>70</sup> Women actively organized and participated in sit-ins in downtown Beirut to protest the assassination of Rafic Hariri in 2005. And in the wave of activism that followed his death, women spearheaded a

petition demanding liberation from Syrian occupation that collected more than 10,000 signatures and grew to over 500 meters in length.

The rise in civic activism has been aided by improved access to information. Satellite television is widely available, and the Internet has been expanding rapidly, with nearly a quarter of the population using the new medium by 2008.<sup>71</sup> However, because women remain underrepresented in both legislative and executive bodies, their lobbying efforts and awareness campaigns have had limited success in influencing national policies.

### *Recommendations*

- ❖ The government, in conjunction with civil society actors, should counter the prevailing view, particularly among older generations, that politics is the domain of men. This could be achieved through national awareness campaigns focusing on the important role that women play in the public sphere, whether at the political, economic, or social level. In order to reach all Lebanese, even in the most remote areas of the country, such campaigns should utilize visual media, preferably television.
- ❖ Taking into consideration the historical reluctance of Lebanese voters to elect female politicians, the government must take steps to ensure that women have the opportunity to secure a substantial presence in the parliament. To this end, civil society actors should actively push for the temporary adoption of a gender-based quota within the electoral lists rather than parliament seats.
- ❖ The government, in cooperation with local NGOs, should offer training campaigns for potential female politicians that would guide them on how to properly conduct a campaign and convey their policy message to a wide audience.
- ❖ Women should be encouraged to join existing political parties and form new parties in which they would be accepted as equal partners. Moreover, they should create special networks, both within and across parties, to build alliances on the issues of female leadership and gender equality.
- ❖ Because municipal councils have the potential to affect the local community in a direct manner, increasing women's representation in the councils should be a high priority for the government. One way of achieving this would be to institute a quota on the electoral lists.

## SOCIAL AND CULTURAL RIGHTS

Women's social and cultural rights have remained relatively unchanged in recent years, and what progress was made, such as improvements to the health sector, affected both sexes equally. The media continue to stereotype women, focusing primarily on their reproductive role or physical appearance. However, women are gaining a more substantive presence as talk-show hosts and political pundits.

Lebanese women are entitled to make decisions unilaterally regarding their reproductive rights and health, and the government has made efforts to provide adequate health care to its population. The country's commitment to this goal began with its 1972 ratification of the International Convention on Economic, Social, and Cultural Rights, which enshrines health care as a human right, and continued with its subsequent pledge to implement the Millennium Development Goals. Although Lebanon spends more on health care than any other Eastern Mediterranean country, this has not been accompanied by an efficient use of resources, as the country's performance on major health indicators is not significantly higher than that of its neighbors.<sup>72</sup> The system's shortcomings were temporarily compounded by the 2006 war, which hampered or destroyed health care facilities in the affected areas.<sup>73</sup>

Reproductive health services became a part of the primary health care system in 2003, making them more widely available throughout the country.<sup>74</sup> Women are able to obtain birth control without having to consult their husbands. Legal provisions that had criminalized the advertising, prescribing, or selling of contraceptives were abolished in 1983.<sup>75</sup>

Abortion is illegal under Articles 539 through 546 of the penal code, except to save the life of the mother.<sup>76</sup> A woman who induces an abortion on her own or allows another to administer an abortion is subject to between six months and seven years in prison. The person who administers the abortion for the woman is subject to the same punishment, unless the woman dies in the process, in which case the minimum sentence increases to four years in prison. When the abortion is performed in the name of preserving honor, both parties can receive a reduced penalty. Despite the ban, illegal abortions are widely available and are facilitated by underground medical and paramedical staff. The subject of abortion is still considered taboo at the familial, social, and religious levels.

The ability of citizens to access health care depends substantially on their economic status. Only 46.3 percent of women and 43.6 percent of men have health insurance, as the poverty gap in coverage is wider than the gender gap.<sup>77</sup> The lack of access to affordable health insurance and care has had a particularly negative effect on women. Within poorer families, the health of the main breadwinner—generally the husband—takes priority over women's health, and the health of male children is similarly valued due to their likelihood of joining the labor market at a relatively young age.

Decree 11802 of 2004 requires all workers in institutions that are subject to the provisions of the Employment Act—particularly pregnant women and mothers of infants—to undergo a periodic medical examination. Furthermore, it prohibits the employment of pregnant women and nursing mothers in “jobs involving exposure to gasoline or products containing gasoline.”<sup>78</sup> While these measures indicate a concern for the reproductive health of women, the government does not provide information and support that could protect young women from the dangers of sexually transmitted diseases, unplanned pregnancy, and illegal abortion.<sup>79</sup> Female genital mutilation is not a common practice in Lebanon.

Women enjoy the right to own and use housing without discrimination, and several public institutions have been established to boost home ownership among women, one of the first being the Housing Bank established in 1977. Between 2000 and 2005, the Public Corporation for Housing, established in 1996, extended 30 percent of its total loans to single and married women to purchase houses individually or as a joint owner.<sup>80</sup> Ownership disputes arise during divorce proceedings if the house is jointly owned or is registered solely in the husband's name but the wife has contributed to its purchase. Social norms limit the housing rights of single women to the extent that they are expected to live with their parents until they get married. However, anecdotal evidence seems to indicate that this is changing gradually, particularly in Beirut and among young women who have either lived abroad on their own for some time or have moved to the city to pursue their studies or secure a job.

In the years since the women's rights movement truly took root, Lebanese women have generally been able to participate in and effectively influence their community. Women involved in NGOs and informal religious affiliations were particularly active during the 1975–90 civil war, taking on tasks traditionally reserved for the state, such as emergency relief, health

care, and education for the needy.<sup>81</sup> Although women's representation in municipal councils remains far below the optimum level, it has increased in recent years, giving women an instrumental platform from which to shape local social development and policies.

Beginning with the establishment of their own journals and publishing houses in the late 1800s, Lebanese women have long been active in the media.<sup>82</sup> The number of female journalists increased during the 1960s, and women became hosts of talk shows on radio and television. By 2000, women such as Maggy Farah and May Chidiac had gained respect as hosts of political talk shows. This trend has continued in the last five years, and women such as Paula Yaacoubian, Chada Omar, and Najat Sharafeddine have become outspoken political pundits.

Despite this growth in women's visibility in the media, they hold few decision-making positions behind the scenes. A study entitled *Towards the Empowerment of Women in the Media* was carried out in 2008 by the Hariri Foundation for Sustainable Human Development, under the supervision of the Council for Development and Reconstruction and with financing from the World Bank. Its results clearly indicate that although women's presence in the media is increasing, their inability to reach decision-making positions hinders the introduction of fundamental changes regarding women's image at the content level. For example, the study finds that the morning shows, with their gender-stereotyped advertisements, are essentially geared toward housewives. Sets are made to look like the hosts' homes, reinforcing the idea that home, along with family care and children's education, are a woman's domain. Meanwhile, the production of entertainment programs is monopolized by men, and the resulting content often values women only for their physical beauty, as defined by the criteria of the prevailing consumer culture.<sup>83</sup>

Although no gender-disaggregated data exists regarding the poverty rates of individuals, there are reliable statistics related to the poverty levels of households. Women head 15 percent of households, which account for 10.3 percent of the population, and although poverty rates fluctuate between regions, female-headed households and male-headed households experience similar rates of poverty. Of the female heads of households, 71.4 percent are widows, and widow-headed households with more than three children have the highest poverty ratio and are the most vulnerable of all households. Their share among the poor is five times greater than their share of the population.<sup>84</sup>

Several factors have contributed to an increase in poverty in Lebanon, including the current global economic crisis, the 2006 war, and political unrest following the war. Civil society actors played a vital role in defusing the political tension, although many NGOs became politicized in the process, rendering their socioeconomic goals more difficult to achieve. However, women's rights associations and other civil society organizations, like the Family Planning Association, continue to conduct activities and training programs all over Lebanon in an effort to increase women's awareness regarding reproductive health, general health, participation in local politics, obtaining small loans, and public education programs related to women's rights issues.

### *Recommendations*

- ❖ The government should adopt a unified health insurance scheme to which all Lebanese citizens, including the poor, would have equal access.
- ❖ The government should work with NGOs that are currently involved in alleviating poverty to design a new poverty-reduction program. The plan should address regional disparities and focus on education and job training without gender discrimination.
- ❖ In an effort to improve the image of women in the media, civil society should actively push for the promotion of women to decision-making positions within media organizations. To aid in these efforts, the government should solicit nominations from women's rights NGOs and appoint the best female candidates to senior positions in media regulatory bodies.

## **AUTHOR**

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## NOTES

- <sup>1</sup> In 1952, the parliament had granted only educated women the right to vote.
- <sup>2</sup> In this case, Myrna Boustani, the only child of lawmaker Emile Boustani, continued his term after his death. She ran for the vacant seat unopposed.
- <sup>3</sup> The National Committee for Lebanese Women was established through a ministerial decree in 1996 to monitor the implementation of the recommendations of the 1995 Beijing conference. In November 1998, this committee became the National Commission for Lebanese Women by virtue of Law No. 720.
- <sup>4</sup> An English translation of the constitution is available at [http://www.servat.unibe.ch/icl/le00t\\_\\_\\_\\_.html](http://www.servat.unibe.ch/icl/le00t____.html). See Alia Berti Zein, "Women's Civil Rights in Lebanon," *Al-Raida* 13, no. 111–112 (Fall/Winter 2005–06): 19, <http://www.lau.edu.lb/centers-institutes/iwsaw/raida111-112/main.html>.
- <sup>5</sup> Alia Berti Zein, "Women's Civil Rights in Lebanon," 19.
- <sup>6</sup> *Third Periodic Report of State Parties: Lebanon* (New York: UN Committee on the Elimination of Discrimination against Women, July 7, 2006), 31, <http://www.un.org/womenwatch/daw/cedaw/reports.htm>. See also statute 10955 of September 17, 2003.
- <sup>7</sup> *Initial Report of States Parties: Lebanon* (New York: UN Committee on the Elimination of Discrimination against Women, September 2, 2004), 29, <http://www.un.org/womenwatch/daw/cedaw/reports.htm>.
- <sup>8</sup> "Honor Killings Banned by Lebanon's Top Shiite Cleric," *Ya Libnan*, August 3, 2007, [http://yalibnan.com/site/archives/2007/08/honor\\_killings\\_1.php](http://yalibnan.com/site/archives/2007/08/honor_killings_1.php).
- <sup>9</sup> *Third Periodic Report of States Parties: Lebanon*.
- <sup>10</sup> *Initial Report of States Parties: Lebanon*, 29.
- <sup>11</sup> Article 522 of the penal code.
- <sup>12</sup> Women's Right Monitor Project, *Report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Draft of Initial Report* (Beirut: Lebanese NGO Forum, 2000), section IX(1), <http://www.lnf.org.lb/windex/report.html>.
- <sup>13</sup> *Third Periodic Report of States Parties: Lebanon*, 16. According to this declaration, "the Government will strive to focus on issues of woman as an essential and active partner in

- public life by creating the appropriate legal environment to strengthen her role in various sectors, and will lay the foundations for the incorporation of the concept of gender in all fiscal, economic and social policies in line with new international thinking in this respect.”
- <sup>14</sup> *Third Periodic Report of States Parties: Lebanon*, 29.
- <sup>15</sup> UN Programme on Governance in the Arab Region (POGAR), “Lebanon: Judiciary,” UN Development Programme (UNDP), <http://www.undp-pogar.org/countries/theme.aspx?t=9&cid=9>.
- <sup>16</sup> *Third Periodic Report of States Parties: Lebanon*, 25.
- <sup>17</sup> Human Rights Watch, “Lebanon: Act Now on Steps to Prevent Torture,” news release, November 5, 2008, <http://www.hrw.org/en/news/2008/11/05/lebanon-act-now-steps-prevent-torture>.
- <sup>18</sup> Moghaizel Law Offices, personal communication, February 2009; see also *Second Periodic Report of States Parties: Lebanon* (New York: UN Committee on the Elimination of Discrimination against Women, February 11, 2005), 48–49, <http://www.un.org/womenwatch/daw/cedaw/reports.htm>.
- <sup>19</sup> According to personal communication with lawyer Ikbal Doughan, president of the Family Rights Network, on March 14, 2009. However, the first woman judge was named public prosecutor at the Court of Cassation in November 2004, which entitled her to an ex officio place as vice president of the Higher Council of the Judiciary. See *Second Periodic Report of States Parties: Lebanon*, 48.
- <sup>20</sup> *Third Periodic Report of States Parties: Lebanon*, 84.
- <sup>21</sup> “Each Lebanese is subject to the laws, regulations and courts of his or her own religious community. This legislative and judicial pluralism . . . has a constitutional framework and roots associated with the establishment and stability of Lebanon as a political entity. Accordingly, this subject is extremely sensitive and linked to the broader political and social situation in the country.” *Third Periodic Report of States Parties: Lebanon*, 11.
- <sup>22</sup> *Third Periodic Report of States Parties: Lebanon*, 17.
- <sup>23</sup> The officially recognized religious groups include 4 Muslim and 12 Christian denominations, in addition to the Druze and Jews.
- <sup>24</sup> Lebanese NGO Forum, “A Brief Review of the Current State of Violations of Women’s Rights in Lebanon,” <http://www.lnf.org.lb/windex/brief1.html#a1>.
- <sup>25</sup> The group, “All for Civil Marriage in Lebanon,” has more than 8,000 members on its “Groups” page and more than 13,000 members on its “Causes” page as of November 2009. See the website of All for Civil Marriage in Lebanon on Facebook at <http://www.facebook.com/Civil.Marriage.in.Lebanon>.
- <sup>26</sup> This draft, in Arabic, can be found at <http://www.civil-marriage-lebanon.com/CivilMarriageFeb09Proposal.pdf>.
- <sup>27</sup> For example, Article 46 of the Armenian Orthodox law and Article 38 of the Assyrian Church of the East law state: “The man is the head of the family and its representative in law.” The Armenian article also states: “It is the duty of the man to protect his wife and of the woman to obey her husband.” A 1999 decision by the Supreme Druze Appeal Court found that “the wife who refuses to reside in the house of her husband shall be responsible for the consequences to her personal rights.” *Third Periodic Report of States Parties: Lebanon*, 89–90.

- <sup>28</sup> The amended law states: “By marriage, rights and duties shall be equal between both spouses in matters relating to the communion of married life.” It also holds that “the spouses must have a shared home or the likeness thereof,” whereas the previous law commanded that “the wife keep the house of her husband.” *Third Periodic Report of States Parties: Lebanon*, 89.
- <sup>29</sup> In February 2009, Minister of Interior Ziad Baroud succeeded in getting the government to agree that citizens are free to omit their religion on their *ikhraj qayd*, the family civil registry record. Stating one’s religion on this document was previously mandatory.
- <sup>30</sup> The marriage age for Sunni and Druze women is 17; for Shi’a it is the age of puberty; for the Catholic denominations, Armenian Orthodox, and Syrian Orthodox it is 14; and for Greek Orthodox it is 18.
- <sup>31</sup> *Third Periodic Report of States Parties: Lebanon*, 87.
- <sup>32</sup> Article 58 of the Islamic personal status law permits Muslim men to marry women of any monotheistic faith while invalidating marriages between Muslim women and non-Muslim men. Article 47 allows a bride’s guardian to annul a properly executed marriage if it is to an “unqualified” man.
- <sup>33</sup> *Third Periodic Report of States Parties: Lebanon*, 87.
- <sup>34</sup> *Third Periodic Report of States Parties: Lebanon*, 95.
- <sup>35</sup> *Third Periodic Report of States Parties: Lebanon*, 96, 98.
- <sup>36</sup> *Third Periodic Report of States Parties: Lebanon*, 94.
- <sup>37</sup> Ikbal Doughan, personal communication, 2009.
- <sup>38</sup> *Third Periodic Report of States Parties: Lebanon*, 94.
- <sup>39</sup> UNDP, *Lebanon National Human Development Report: Toward a Citizen’s State* (Beirut: UNDP, 2009), 166, [http://hdr.undp.org/en/reports/nationalreports/arabstates/lebanon/NHDR\\_Lebanon\\_20082009\\_En.pdf](http://hdr.undp.org/en/reports/nationalreports/arabstates/lebanon/NHDR_Lebanon_20082009_En.pdf).
- <sup>40</sup> A. Charara-Baydoun, *Killing of Women and the Lebanese Judiciary System* (Beirut: KAFA [Enough] Violence and Exploitation, 2008), in Arabic.
- <sup>41</sup> *Second Periodic Report of States Parties: Lebanon*, 40.
- <sup>42</sup> Bureau of Democracy, Human Rights, and Labor, “Lebanon,” in *2008 Country Reports on Human Rights Practices* (Washington, DC: U.S. Department of State, 2009), <http://www.state.gov/g/drl/rls/hrrpt/2008/nea/119120.htm>.
- <sup>43</sup> The 2008 GDP growth figures for Lebanon vary from 7 percent to 8.5 percent, depending on the source. The World Bank’s estimate is 8 percent. World Bank Data Finder (Online Source), <http://datafinder.worldbank.org>. Also see International Monetary Fund, *Lebanon: Report on Performance Under the Program Supported by Emergency Post-Conflict Assistance* (Washington, DC: International Monetary Fund, July 2009), 1, 6, 9, <http://www.imf.org/external/pubs/ft/scr/2009/cr09213.pdf>.
- <sup>44</sup> *Third Periodic Report of States Parties: Lebanon*, 96, 97.
- <sup>45</sup> UNDP, *Lebanon National Human Development Report*, 136.
- <sup>46</sup> World Bank, *The Status and Progress of Women in the Middle East and North Africa* (Washington, DC: World Bank, 2007), 21, [http://siteresources.worldbank.org/INTMENA/Resources/MENA\\_Gender\\_BW2007.pdf](http://siteresources.worldbank.org/INTMENA/Resources/MENA_Gender_BW2007.pdf).
- <sup>47</sup> World Bank, “GenderStats—Create Your Own Table,” <http://go.worldbank.org/MRER20PME0> [accessed December 15, 2009].

- <sup>48</sup> World Bank, "GenderStats—Education," <http://go.worldbank.org/RHEGN4QHU0> [accessed December 15, 2009].
- <sup>49</sup> UNDP, Lebanese Ministry of Social Affairs, and Lebanese Central Administration of Statistics, *Living Conditions of the Households of Lebanon* (Beirut: UNDP, 2006), 47, in English and Arabic, available at <http://www.undp.org.lb/communication/publications/index.cfm>.
- <sup>50</sup> World Bank, "GenderStats—Education," <http://go.worldbank.org/RHEGN4QHU0> [accessed December 15, 2009].
- <sup>51</sup> World Bank, "GenderStats—Education." The secondary gross enrollment rate in 2007 was 85.6 percent for females, up from 78.7 in 2000, and 76.7 percent for males, up from 72.6 in 2000. The tertiary gross enrollment rate for 2007 was 56.3 percent for females, up from 34.7 in 2000, and 46.9 percent for males, up from 33.1 percent in 2000.
- <sup>52</sup> UNDP, *Lebanon National Human Development Report*, 55.
- <sup>53</sup> UNDP, *Lebanon National Human Development Report*, 142. "Two out of every three women work in administration or education, compared to one out of every four men."
- <sup>54</sup> Lebanon ratified ILO Conventions 100 and 111, on equal remuneration and discrimination in employment and occupation, respectively, in 1977. See ILO, "Ratifications of the Fundamental Human Rights Conventions by Country," <http://www.ilo.org/ilolex/english/docs/declworld.htm>.
- <sup>55</sup> Laure Moghaizel, *Houqouq al-Mar'a al-Insan fi Loubnan fi Daou' Ittifaqiyyat al-Qada' 'ala Jami' Ashkal Attameez Ded al-Mar'a (Al-Lajna al-Wataniyya Li Shou'oun al-Mar'a)* [Women's Human Rights in Lebanon in Light of CEDAW] (Beirut: Mou'assasat Joseph wa Laure Moghaizel, 2000).
- <sup>56</sup> UNDP, *Lebanon National Human Development Report*, 60.
- <sup>57</sup> *Third Periodic Report of States Parties: Lebanon*, 59.
- <sup>58</sup> *Third Periodic Report of States Parties: Lebanon*, 62.
- <sup>59</sup> Human Rights Watch, "Middle East: Move Quickly on Labor Reforms for Migrant Women," news release, December 17, 2008, <http://www.hrw.org/en/news/2008/12/17/middle-east-move-quickly-labor-reforms-migrant-women>. This report indicates that every week, one of the nearly 200,000 domestic workers in Lebanon attempts or succeeds in committing suicide, and that Lebanon lags behind most other countries in the region in protecting migrant women's rights.
- <sup>60</sup> United Nations Convention Against Transnational Organized Crime (Law 680 of August 24, 2005); Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention Against Transnational Organized Crime (Law 681 of August 24, 2005); Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime (Law 682 of August 24, 2005).
- <sup>61</sup> *Third Periodic Report of States Parties: Lebanon*, 43.
- <sup>62</sup> Human Rights Watch, "Middle East: Move Quickly on Labor Reforms for Migrant Women."
- <sup>63</sup> Marguerite Helou, "Women in the Lebanese Parliament 1992–1996," *Babithat*, Fourth Issue (1997–1998): 170–202.

- <sup>64</sup> *Second Periodic Report of States Parties: Lebanon*, 44–45; *Third Period Report of States Parties: Lebanon*, 48.
- <sup>65</sup> Inter-Parliamentary Union, “Lebanon: Majlis Al-Nuwwab (National Assembly),” PARLINE, [http://www.ipu.org/parline-e/reports/2179\\_E.htm](http://www.ipu.org/parline-e/reports/2179_E.htm).
- <sup>66</sup> *Second Periodic Report of States Parties: Lebanon*, 12, 46, 72.
- <sup>67</sup> World Bank, *The Status and Progress of Women in the Middle East and North Africa*, 54.
- <sup>68</sup> *Third Periodic Report of States Parties: Lebanon*, 50.
- <sup>69</sup> *Second Periodic Report of States Parties: Lebanon*, 22–23.
- <sup>70</sup> *Second Periodic Report of States Parties: Lebanon*, 51.
- <sup>71</sup> International Telecommunication Union, “Internet Indicators: Subscribers, Users and Broadband Subscribers, 2008,” <http://www.itu.int/ITU-D/icteye/Indicators/Indicators.aspx#>.
- <sup>72</sup> UNDP, *Lebanon National Human Development Report*, 137.
- <sup>73</sup> World Health Organization, “Lebanon Health Facilities Have Suffered Considerable Damage,” news release, September 6, 2006, <http://www.who.int/mediacentre/news/releases/2006/pr48/en/index.html>.
- <sup>74</sup> Decree 9814 of 2003. See *Third Periodic Report of States Parties: Lebanon*, 31. This amendment was made as part of the national reproductive health program that Lebanon launched based on the recommendations of the 1994 International Conference on Population and Development.
- <sup>75</sup> *Second Periodic Report of States Parties: Lebanon*, 68.
- <sup>76</sup> United Nations, “Lebanon,” in *Abortion Policies—A Global Review* (New York: United Nations, 2002), <http://www.un.org/esa/population/publications/abortion/profiles.htm>.
- <sup>77</sup> UNDP, *Living Conditions of the Households of Lebanon*, 68.
- <sup>78</sup> *Second Periodic Report of States Parties: Lebanon*, 69.
- <sup>79</sup> *Third Periodic Report of States Parties: Lebanon*, 71.
- <sup>80</sup> *Third Periodic Report of States Parties: Lebanon*, 73.
- <sup>81</sup> Kareem Elbayar, “NGO Laws in Selected Arab States,” *International Journal of Not-for-Profit Law* 7, no. 4 (September 2005): 3.
- <sup>82</sup> Hanifa al-Khatib, “Noshou` al-Haraka Annisa`ya fi Alloubnaniyya wa Fa`aliyyitiha fi Almoujtama` fi Marahel Tatawworiha,” *Addiyar*, March 8, 1998. It is estimated that by 1940 the number of these journals reached 40.
- <sup>83</sup> Nahawand al-Kaderi Issa, *Towards the Empowerment of Women in the Media* (Beirut: Hariri Foundation for Sustainable Human Development, 2009), 15, <http://www.hariri-foundation.org/admin/document/9.pdf>.
- <sup>84</sup> UNDP, *Poverty, Growth and Income Distribution in Lebanon* (Beirut: UNDP, 2008), 68, <http://www.undp.org.lb/communication/publications/index.cfm>.